

COHEN ROSENTHAL & KRAMER LLP

3208 CLINTON AVENUE
CLEVELAND, OHIO 44113
TELEPHONE: (216) 815-9500

July 12, 2022

VIA ECF

The Honorable Lorna G. Schofield
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Mateer et al. v. Peloton Interactive, Inc.*, Case 1:22-cv-00740-LGS

Dear Judge Schofield:

Together with my co-counsel, J.R. Howell, we represent the Plaintiffs in this action. We write to seek Court approval of the attached proposed notice to the FLSA collective, consent to join form, and notice plan as outlined in the proposed Order.

The Parties conferred and jointly agreed to the form and content of the proposed notice, consent to join form, and notice plan, taking care to maintain the neutrality of the notice. See **Exhibit A**. Consistent with the Court's duty to supervise the conduct and communications of counsel with putative collective members, Plaintiffs now seek your approval. *Gulf Oil Co. v. Bernard*, 452 U.S. 89, 100 (1981); *Agerbrink v. Model Serv. LLC*, No. 14-CV-7841, 2015 WL 6473005, at *2 (S.D.N.Y. Oct. 27, 2015); *Hinds County v. Wachovia Bank N.A.*, 790 F. Supp. 2d 125, 134 (S.D.N.Y. 2011). A proposed Order approving the notice, consent form, and notice plan is attached as **Exhibit B**.

The relief sought in this letter is unopposed. However, Peloton reserves all rights substantively and procedurally, and to object to any final certification under the more rigorous standard that applies at that stage.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Jason R. Bristol
Jason R. Bristol

cc: All Counsel of Record (VIA ECF)